

# THE WILMINGTON JOURNAL.

WILMINGTON, N. C., MONDAY, FEB. 25, 1850.

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**SPEECH OF HON. ROBERT STRANGE,**  
DELIVERED AT THE SOUTHERN RIGHTS MEETING, HELD  
IN WILMINGTON, ON THE 20TH JANUARY, 1850.

DR. THOMAS H. WRIGHT, and WM. C. BETTENCOURT, Esq., Secretaries of the Southern Rights Meeting held in this town on the 20th January, have placed in our hands the following letter from Hon. ROBERT STRANGE to them, accompanying the copy of his speech delivered upon that occasion, and furnished by him in compliance with a resolution of the meeting. This, along with the speech, we take pleasure in laying before our readers. No copy of the letter of the Secretaries has been retained, consequently we are unable to publish it:

FAYETTEVILLE, Feb. 13th, 1850.  
Gentlemen—Your favor of the 5th inst. was received by me at this place a few days ago, covering a resolution of the State's Rights Meeting, held at Wilmington, on the 20th ult., requesting a copy of the remarks made by me on that occasion, for publication. In which letter you very kindly add your own personal solicitations.

I am very grateful to the meeting, and to you, gentlemen, for the very flattering expression of approbation of what was said by me on that occasion. If I consulted my own reputation, I should consider it wise to withhold my assent to your request. But I do not feel at liberty to consult with my own ease, or my own reputation, when they come in competition with your wishes.

I have therefore, as well as I am able, sketched the substance of the remarks made by me; though I do not vouch for their accuracy. I should have sooner complied with your request, but professional engagements have interfered with my wishes, and left me but little leisure for the performance of this duty.

Accept the assurances of my highest respect, and I am, gentlemen, your friend and ob't servt.

ROBT. STRANGE.

DR. THOMAS H. WRIGHT and WM. C. BETTENCOURT, Esq., Secretaries.

MR. CHAIRMAN—Perhaps more personal matters may seem out of place on an occasion like the present, but one does not like to appear before the public in a false position. I would not have it supposed that I seek to obtrude my views and my action upon the people of New Hanover and Wilmington—but wish it understood that I have attended this meeting and taken part in its deliberations at the special request of a number of friends resident in this place.

It is a solemn thing to see an assembly of sedate and respectable men, embracing all parties, and of every employment, with anxious faces, enquiring of each other—What is to be done? It indicates some great evil—either existing or feared. This is no holiday occasion. We have not met to rejoice over the triumphs of our manhood and vigor. But it is to contemplate the greatest nation upon earth laboring under the premonitory symptoms of severe disease, perhaps of dissolution. Threatened with convulsions which may dislocate every joint in its mighty frame and tear asunder its gigantic limbs. To endeavor, if possible, ere it be too late, to apply some remedy that may avert such dreadful consequences, and soothe the irritated nerves before they become fully excited. I am glad that Wilmington is among the earliest portions of the State to engage in this important work. Petersburg has been called the cockade of Virginia. With equal propriety may Wilmington be called the cockade of North Carolina. In everything noble, generous, and public spirited, she is ever the first to act, and to act efficiently. It is but in character, then, for her to be on this occasion among the first to act; to throw off, as it were, from the heart, a warm and vital current, that may give pulsation to every artery near and distant in our wide spread State. But the question is—What should we do? We desire to soothe and to save the life of the patient, and not further to excite, when excitement is already so great as to threaten the most alarming consequences. While at the same time we should not, from imbecile timidity, withhold such a decided course of practice as may shield us from the imputation of suffering the patient to die for the want of remedies sufficiently strong and active.

That the South has been wronged, and is threatened with yet more serious wrongs, no one can deny. But I do not propose to repeat a recital of those wrongs which have already been made with sufficient animation by my friends who have preceded me. It is not my purpose to inflame your feelings, but to aid in the enquiry—How those wrongs are to be met? Any decided expression on the part of this meeting, further than is done by the resolutions on your table, would be premature. We there express the anxiety we feel—our warm, heartfelt attachment to the Union; while at the same time we declare that, as honor and a just sense of the claims of their posterity induced our Revolutionary fathers to sever the ties of blood and political association when they could no longer be maintained but at the expense of these, so should the same necessity impel us, upon like considerations, however reluctantly, to sacrifice even our ardent love for the Union to honor and the just claims of that posterity for whom it is our duty to provide. Yet we desire to make every effort for the preservation of the Union, and we meet not for the purpose of discussing a plan of dissolution, but to devise one by which it can be honorably prevented.

This it would be inexpedient to do in a primary meeting—to attempt further than to devise some mode by which we may have an opportunity of a grave and deliberate conference with all those who stand related to the subject in like manner with ourselves. Not to forestall, by any expressions in advance of our own views, the free and dispassionate result of such a conference. The conference itself is all we should decide upon; and even that conference only in the event that future developments may make its necessity more apparent. The distant period, therefore, of the first Monday in June next, we would fix upon for the meeting at Nashville. In the meantime, the further action of Congress, and of those who agitate the subject at the North, will enable us to judge more properly whether such meeting be necessary at all; and if necessary, what that meeting ought to do. This initiatory step is particularly called for on the part of North Carolina, for it is greatly to be feared her position is much misunderstood by both the parties to this great question. Our wide extent of territory and sparseness of population, together with those geographical disadvantages which prevent that speedy interchange of sentiment between one portion and another of our people, enjoyed by other States, renders us necessarily very slow in collecting, and, therefore, in expressing, the public sentiment of our State. This slowness of expression has been usually attributed to some peculiarity

in the people themselves, involving the imputation of Bostian stupidity or phlegmatic indifference. Never was there a greater error. In no part of the Union are the pulsations of the heart warmer, or the operations of the intellect more active, than among the people of this State. But from the causes already assigned, our aggregate action is not altogether consistent with these individual characteristics. Public opinion everywhere must have attained a certain volume before its action can be felt; and this volume must be in proportion to the numbers and space upon and within which it is to act. The public sentiment in North Carolina, therefore, upon this great question, is not yet understood abroad—perhaps, even by a great many, not fully understood at home. It is important that it should be understood both at home and abroad, and now is the time to begin its expression. This expression must begin somewhere and in some way, and I know no place or way at which it can better begin than here, in the adoption of these resolutions. They embody, I believe, the true sentiments of the people of North Carolina, and it is all-important that it should be known that they do. It is important to our own position among our sister States. It will have a decided effect on the controversy now going on. I fear some of our Southern brethren look upon us with contemptuous doubt, construing our silence into a sordid love for the flesh pots of Egypt, or a dastardly fear of the consequences to which an expression of our opinions may lead. These doubts should be dispelled, for our honor and for the success of the common cause. I fear greatly, too, that the invaders of our rights, from the same causes, impudently calculate that they may count on us as allies in their wicked assaults upon the great Southern family, and that we will be found treacherous to our brethren and our fathers' house. This emboldens them in their diabolical attempts. One party is disheartened by the want of confidence in our support; the other is encouraged by the belief that they occupy that strong position of having a secret friend in the camp of the enemy. Nothing, I am persuaded, will tend more to prevent these encroachments upon Southern rights, which so seriously threaten this Union, than a conviction that the whole South will be found one and undivided in maintaining those rights at every sacrifice.

Men crush the worm, but pause before they wake the sleeping venom of the folded snake.

North Carolina, for the reasons before given, is more doubted on one side, and calculated on by the other, than any other Southern State. Without meaning to provoke, then, let her proclaim that she knows her rights, and knowing, will maintain them. Let her boldly unfurl her flag the glorious stripes and stars of the Union, nailed to the flag-staff of the Constitution. But should that flag-staff be broken and cast away, let her own original flag, as one of the thirteen independent States that formed that Constitution, be found waving with the liberty cap conspicuous thereon, in the place where once floated the torn, tattered and dishonored flag of the Union. But Heaven forbid that this event should ever happen. Perhaps it is true that by the administration of the General Government the burdens and advantages of the Union have been very unequally distributed. That a much larger portion of the revenue, by an unwise and unjust system of taxation, has been collected from the South than from other parts of the Union, and that by a still more unequal expenditure of the revenue in the different parts thereof, the South has been impoverished, and the other portions of the Union enriched. Besides this, we have contributed more than our portion to the wealth of the Union by our great staple productions, and more than our proportion to her glory in her achievements in arms. But grant that, in these things injustice may have been done us, and that it is likely we will, through all time to come, be equally unfortunate. What are considerations such as these, to the many advantages the Union has, and we trust will continue to afford us? It is better to enjoy a morsel in peace and security, than to have great riches constantly exposed to the grasp of the spoiler, and which can only be held amid the din of arms and the outpouring of blood. This peace and security the Union, under the Constitution, has so far afforded us. A peace and security we could no longer hope to enjoy after its dissolution. Even among ourselves, strife would be inevitable. This Union could not be dissolved without involving a long and bloody strife among the members composing it. Grant for a moment, that one portion of the States should be willing to acquiesce in the quiet secession of another portion from the Union, what would become of our vast public domain—of our armaments, and the countless items composing the public treasure?—Would the seceding States be willing to surrender all interest in these? Certainly not. The same considerations of honor and just regard to posterity which would prompt secession, would also prompt us to insist on carrying with us a portion of what had been acquired by the common enterprise, and the common suffering. But would those claiming to be adherents to this Union, agree to a just partition with us, or to any partition? We need not hope it; and the sword, the only earthly arbiter between disputing communities, would have to record its decision in blood. Nor would one decision be final. But by successive appeals, this fearful litigation would probably be protracted through indefinite ages. But if this were not so, there are family jewels belonging to this great confederacy, which admit of no partition. To whom would belong the sacred mementoes of our Revolutionary Fathers? Which of us would inherit the imperishable laurels gathered in the war of 1812? And even those yet green and reeking with the blood of our valorous sons, lately won in the campaign in Mexico, would have no just claimants.

All these national trophies would cease to be of value, for no one would be left to appropriate them, and they would be as completely lost as if swallowed up in the ocean wave.

Who is there, either at the North or South, that is willing to see the sponge of oblivion sweep over the record that speaks of the gallant deeds—the glory of brotherhood—the profound wisdom—the great moral achievements of the people of the United States of America? Is the proud distinction of an American citizen to be forever lost? That name which is now a passport of honor to him who bears it in any of the four quarters of the globe. When the people of this land go abroad, that is the title by which they desire to be known. We may boast among ourselves of being a Virginian, a Carolinian, a Georgian, a New Yorker, a Pennsylvanian, a native or inhabitant of this or that State. But abroad these respective States are scarcely heard of—they are unknown to fame, while the most ignorant among men would blush to own that he knew not the fame of the United States of America, or that her flag waved among the proudest of the proud of the nations of the earth. Yes, the title of an American citizen is more honorable now than was that of a Roman in the ancient days. Even the great Apostle, St. Paul, was not so insensible to earthly pride, as not to value the title of Roman citizen; and when one spoke in his presence of having purchased that honor, he somewhat boastfully replied, "but I was free born." And so, wherever an American citizen may go—whether he be the boastful titles claimed even by the nobles of the earth, he may lift up his head among them and exclaim, "but I was free born—I am an American citizen."

But dissolve this Union, and with it that charm will also be dissolved. Are not these considerations (and the half has not been told) sufficient to induce every sound head and honest heart to pray for the perpetuity of this Union? And who desires its dissolution? Not we of the South, for our ardent love for it has enabled us to bear much—very much. At first we were annoyed by the outcries of religious fanaticism against an institution interwoven with the very texture of our existence; and while we pitied the short-sighted folly of these fanatics, and felt sore under the aspersions of moral infamy they were disposed to heap upon us, we could not but respect the motives that prompted them. Religious fanaticism may do much mischief—it may arouse false notions in a moral conflagration, but the spark that kindled it came from Heaven; and while we mourn over the consequences, we cannot but respect the source from whence they proceed. But from a different source does danger now threaten us. The lust of civil power, and the desire of political triumph are now the impulses that prompt these attacks upon our property—our peace—and our domestic quiet. The religious fanatics are but as torch-bearers for the political incendiaries, and only here and there in the anti-slavery ranks is found a bosom burning with religious zeal, while the fires of hell itself warm the hearts of the masses of those who constitute the anti-slavery army at the North.

It is time, then, that we should speak; it is time that we should warn one another, ere we find ourselves so entirely surrounded, that we cannot escape, and so closely pressed upon by the foe, that our arms cannot be wielded to advantage. Political strategy is as dangerous as the strategy of war, and there is a period in both when you are rendered powerless by your adversary, and it is the part of wisdom to act before that period arrives. We must not wait until every post has been seized by the enemy, and nothing is left us but to surrender at discretion, or fight at disadvantage. But by taking our position in time, within the yet unshaken fortress of the Constitution, and manfully defending it against the first encroachments of the foe, we may be able to preserve both it and ourselves. If we must perish, let us perish under its ruins. To give it up, or to suffer one fragment of it to be destroyed without resistance, is the most certain way to consummate that disunion which we so much dread. It is to cry aloud against encroachments upon the Constitution, and to declare our determination at every hazard to maintain it that we meet, and not for the purpose of plotting against it. By thus acting, if disunion is forced upon us—if the fair fields of these States must be fattened with the blood of their sons—if the swords of brothers must pierce the vitals of each other—if the ties of blood must be disregarded, and the bonds of political association be dissolved, let us at least, amid all the sorrows and troubles that must follow, have the comfort of a good conscience, and, looking upon the desolation that may surround us, be able to say of our Northern brethren—they would have it so.

But never let us surrender the Constitution, and the Union it secures, until we can with truth say—they will have it so. But when that awful period arrives, if come it must, let us be prepared for the duties it shall demand, and with manly hearts, to sacrifice every thing else for our domestic altars, the rights of our posterity and our sacred honor.

Mr. President, I rejoice once more to see meetings held in our State without respect of parties. It is almost the only cheering circumstance growing out of this sectional question, that it brings us nearer to each other at home. The sense of common danger wakes up within us those kindly feelings which party bitterness had subdued. The danger which we are now contemplating and against which we are endeavoring to provide, is in part the bitter fruit of party strife. Year after year for many years has party spirit been increasing in bitterness, it has even warped the relations of social life. It has destroyed those safe standards by which fitness for office ought properly to be tested—capacity and integrity. And men of all parties have come to make availability, the only question in our elections. This is the same spirit, which leads on at the North the heterogeneous army now making war upon Southern rights.

In conclusion, permit me to say, that we of the South, are not altogether clear in this matter. To some extent, our blood will be upon our own heads, if the worst should come. We have in a good degree, pandered to the factious spirit of local distinctions. In many respects we have acted most unwisely and unjustly to our brethren at the North, we have not made proper allowances for the position of public men in that part of the Union. We have been unreasonable in our demands upon them, and have greatly diminished our own moral force in the present controversy. We need not wonder, that the opinions of men, take their hue from surrounding circumstances, and that there is a tide in the opinions, as well as in the affairs of men, and that both these tides have their ebb and flood. No incident so much affects the opinions of men, as their interest. This matter of slavery stands upon the same footing, with every thing else. If it were to the interest of the greater part of mankind to dispend with the use of horses, and a very small portion of men were left who found it to their interest, to continue their use, they would likewise continue as the majority now do, to think that their use was altogether right, and proper—perhaps even praise worthy. But that majority would soon come to denounce it as a most flagrant injustice to that noble animal which God had made to enjoy his freedom in the boundless plains, and the trackless wilds; and not to be subjected to the drudgery of the plough, or the cruel infliction of the whip and spur. And so we who hold slaves in the strict sense of that term are in a very small minority, although our slaves are in fact more free and happy than the larger portion of the so-called free men who are more truly slaves. The majority of mankind have not found it to their interest, to hold slaves in the strict sense of that term, and as might be expected are very ready to denounce it in those who do, and especially in those who are under the most irresistible moral necessity to continue to hold them. This very moral necessity under which we live makes their denunciation the more violent, for the devil is always the most disposed to meddle where he can do the most mischief, and you will always find mankind more ready to censure you for differing from them in things that you cannot avoid, than in things that you can. A personal defect brings a man much more into contempt than a vice. These are all moral evils that we may deplore, but they are not likely ever to be eradicated. It is in vain for us to endeavor to convince the proud Pharisees scattered all over the world, for almost every man is a Pharisee upon every subject where he can make a plausible moral argument on one side or the other. The other refused to be searched, and his witness had been occupied by two gentlemen going North. The gentlemen returned and demanded their seats; they were given up. As the gentlemen went to re-occupy their seats, one of them lifted a gold watch from the seat, and gave it to the owner. Witness said, "that's one of the Bowers' watches—one of the watches which those gentlemen stole from Mr. Bowers." The watch is produced into Court, and the witness shows the way in which the gentleman exhibited it.

Mr. LONDON. We have a right to have your record of the depositions, and we cannot properly cross-examine without it. This Court. Unless some decision of the Supreme Court be otherwise direct, we hold that it is unnecessary to read over the depositions.

Mr. LONDON. I have, may I please the Court, a very good authority for my demand. Chief Justice ROBERTS overrules it, it is as much the law of North Carolina, as if it had been so expressly decided. The authorities that I cite are the general practice in examinations of this sort on the trial of depositions, &c., but these formalities are not absolutely requisite.

Chief Justice ROBERTS. Ah, that will do. It is not necessary, we shall not read them.

WITNESS CROSS-EXAMINED. The seats in the cars are about a foot and a half high, a witness sitting behind the seat, could see in them did not see the watch in the seat, but saw the man when he raised the watch, it was raised from the seat. This happened in a burglar's case, and was the case of the watch in the seat. The watch was either under WALTON, or between the two. CHARLES E. BOWERS. Went to bed at about ten o'clock on Tuesday night—slept in the room in which he was sleeping immediately; Mr. DARBY came into the room in the morning from the street—went into the store—found the glass case open, and several watches, bracelets and other jewelry gone; there was a foot-print on the upper end of the counter; the watch found by the passenger in the seat is his property—identifies it.

Chief Justice ROBERTS. Not in town on Tuesday—had gone in the cars to Halifax—carried several watches with him for sale—sold one—brought all the others back—left behind twenty-eight o'clock. The watch found by the passenger was one of them in the case on his return—swears to the watches and other jewelry being the property of the firm.

W. A. H. PRICE. Saw the watch in the seat on Wednesday—heard of the robbery in town, which put him on the lookout for suspicious characters. The two prisoners came on board at Rocky Point—appeared to be very suspicious characters; had no baggage, and were evidently strangers in that part of the country. When they came on board, I looked the Post Office, and entered the passenger cars. WALTON seemed very much agitated and pale, and paid for both himself and COLE to Burgaw. When the return train came, COLE was tied. Mr. HOLMES had the other fellow by the back of his neck in a Burgaw; WALTON followed him.

ELIJAH SHERWOOD. Was Captain of the Train on Tuesday. Two suspicious looking gentlemen (I came on board at Rocky Point) came on board at Rocky Point, and asked me to let them go to the Post Office. They were dressed in a very shabby manner, and were evidently strangers in that part of the country. When they came on board, I looked the Post Office, and entered the passenger cars. WALTON seemed very much agitated and pale, and paid for both himself and COLE to Burgaw. When the return train came, COLE was tied. Mr. HOLMES had the other fellow by the back of his neck in a Burgaw; WALTON followed him.

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For these reasons, I think we should cause ourselves to be represented in the Nashville convention. And that is all that it would be wise for us at present to determine on this all important subject.—This being done, our glorious Union will continue through indefinite ages, growing, and spreading until the stars upon its banner shall become a countless host; and like the blue canopy of Heaven, which it represents, be looked up to, by men of all nations with admiration and reverential awe.

Reported for the Journal.  
State vs. William Cole and William E. Walton.  
Before Justices Miller, Paden, Bettencourt, and Walker.  
BURGLARY AND LARCENY.

PROCEEDINGS ON FRIDAY AFTERNOON, FEBRUARY 22, 1850.  
Long before the hour appointed for the opening of the Court, the Court Room was filled to its utmost capacity by a large number of persons, who were anxious to witness the proceedings which we noticed in our last issue. The Court having been called, and ordered restored, Mr. MILLER, presiding Justice, ordered the prisoners, WALTON and COLE, to stand up. He then informed the jury that the prisoners had been arrested upon a charge of feloniously entering the Jewelry Store of Messrs. BOWERS & BROTHER, in this town, on Tuesday night last, and that they had been found in possession of several watches, bracelets and other jewelry, which they had stolen from the store. He then asked the jury if they had anything to say in their defense, or that to cross-examine the witnesses, they might be heard.

JOSHUA G. WRIGHT, Esq., for the State, then read the warrant, reciting the oath of Mr. BOWERS, and commanding the Sheriff to arrest the prisoners, WALTON and COLE, and to bring them before the Court. He then called, and sworn for the prosecution: CHARLES E. BOWERS, JAMES SHAW, JOHN SHAW, SYDNEY R. FORD, JAMES MCLENNAN, ISAAC B. SMITH, first examined. Is Captain of the steamboat Gladiolus, which carries the mail between Charleston and Wilmington. Has seen the prisoners before. They are the same men who came on board his boat at Rocky Point on Monday afternoon last, and were by him landed in Wilmington on Tuesday morning. Nothing particular occurred on Tuesday night last, except that the prisoners were seen going out at the Bar, the Steward informed witness that the men did not money to pay for their supper. Witness then recited the facts of the case, and the evidence of the other witnesses, and said that he had no other evidence to offer, except a small old breadstiff. Did not pay for his passage.

WITNESS. I object to this testimony. We are not here to try whether the prisoners could or did pay their passage from Charleston. I understand that the charge is larceny upon the evidence of the other witnesses, and do not think the present testimony relevant to the issue.

MR. WRIGHT. The matter we are at present examining is, whether there is sufficient reason for committing these persons to jail until the next Superior Court. The State alleges only that they have committed the particular crime, wherever they are charged, but they had none. Saw no jewelry in their possession, and no evidence of it, and ought to be committed unless they can give surety for their good behavior. The examining jury, who are to examine the witnesses, should receive all evidence which reflects any light whatever upon them; and, therefore, the evidence of Captain Smith is relevant.

MR. LONDON. I merely wish the objection we have taken to be stated upon the record, and to accompany the evidence. I think it my duty to object to the admission of this evidence, to save their legal rights upon the trial. This record, which is now being made, will then be evidence, and I wish the Court to take notice of this part of it.

CROSS-EXAMINED. Other persons have passed on the boats without paying their passage money. It has happened more than once, and I have seen about the prisoners. Landed them on Tuesday last.

JOHN SHAW, for the State, was then called. On Tuesday night last, about ten o'clock, I was in the room in which the prisoners were sleeping. After being in bed about two hours, I heard a noise, and went up to see what was the matter. I saw the prisoners, WALTON and COLE, standing up, and saw that they were dressed in a very shabby manner, and were evidently strangers in that part of the country. When they came on board, I looked the Post Office, and entered the passenger cars. WALTON seemed very much agitated and pale, and paid for both himself and COLE to Burgaw. When the return train came, COLE was tied. Mr. HOLMES had the other fellow by the back of his neck in a Burgaw; WALTON followed him.

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derive their wealth, to their sense of justice to us and those ties of blood which are stronger between us and them, than between them and the race of Africa. Those dispassionate and wise men who respect these views, and who, upon constitutional principles would have always stood by us, we have caused to be killed off politically by requiring them to stand out and proclaim themselves pro-slavery men before any crisis demanded such a sacrifice. Just as wise would it be for a General in anticipation of a battle to require his soldiers to stand out and be shot at with loaded rifles, that he might know whether they could be relied upon in the day of battle. Quite as reasonable would it be for one to say to another who professed to be his friend, that he would never believe him until he should openly insult some man whom he knew to be his foe. A man runs no risk at the South by voicing pro-slavery opinions in the abstract or in any other way. But it is not so at the North. It can never be done there without some moral risk; for such sentiments are against a strong current which no wise man would like to encounter, but on some urgent necessity, or for some great good to be achieved, well knowing that whenever he does it, it is at the risk of drowning. We have not considered this, and one after another we have needlessly sacrificed useful Northern men by compelling them to avow pro-slavery opinions on an insufficient occasion. And even after compelling them to this needless display of friendship—when they have magnanimously exposed themselves to this discharge of moral artillery for our gratification, we have told them that we still distrusted them because they were Northern men, and for no other reason, and refused to give them our confidence. Thus have we been continually weakening ourselves, and but for our own folly, I am persuaded we have now no a corporal's guard at the North, we should have had legions to stand by us in the defence of the constitution. But still I have a strong confidence that there is sufficient political integrity and good sense at the North, to aid us in averting the consequences to which we are apprehensively looking; and that all that is needed, is that they shall know that we will be true to ourselves, and will not meanly desert them when they shall have committed their political fortunes to the cause of honor and justice to the South.

For these reasons, I think we should cause ourselves to be represented in the Nashville convention. And that is all that it would be wise for us at present to determine on this all important subject.—This being done, our glorious Union will continue through indefinite ages, growing, and spreading until the stars upon its banner shall become a countless host; and like the blue canopy of Heaven, which it represents, be looked up to, by men of all nations with admiration and reverential awe.

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WITNESS. I object to this testimony. We are not here to try whether the prisoners could or did pay their passage from Charleston. I understand that the charge is larceny upon the evidence of the other witnesses, and do not think the present testimony relevant to the issue.

MR. WRIGHT. The matter we are at present examining is, whether there is sufficient reason for committing these persons to jail until the next Superior Court. The State alleges only that they have committed the particular crime, wherever they are charged, but they had none. Saw no jewelry in their possession, and no evidence of it, and ought to be committed unless they can give surety for their good behavior. The examining jury, who are to examine the witnesses, should receive all evidence which reflects any light whatever upon them; and, therefore, the evidence of Captain Smith is relevant.

MR. LONDON. I merely wish the objection we have taken to be stated upon the record, and to accompany the evidence. I think it my duty to object to the admission of this evidence, to save their legal rights upon the trial. This record, which is now being made, will then be evidence, and I wish the Court to take notice of this part of it.

CROSS-EXAMINED. Other persons have passed on the boats without paying their passage money. It has happened more than once, and I have seen about the prisoners. Landed them on Tuesday last.

JOHN SHAW, for the State, was then called. On Tuesday night last, about ten o'clock, I was in the room in which the prisoners were sleeping. After being in bed about two hours, I heard a noise, and went up to see what was the matter. I saw the prisoners, WALTON and COLE, standing up, and saw that they were dressed in a very shabby manner, and were evidently strangers in that part of the country. When they came on board, I looked the Post Office, and entered the passenger cars. WALTON seemed very much agitated and pale, and paid for both himself and COLE to Burgaw. When the return train came, COLE was tied. Mr. HOLMES had the other fellow by the back of his neck in a Burgaw; WALTON followed him.

ELIJAH SHERWOOD. Was Captain of the Train on Tuesday. Two suspicious looking gentlemen (I came on board at Rocky Point) came on board at Rocky Point, and asked me to let them go to the Post Office. They were dressed in a very shabby manner, and were evidently strangers in that part of the country. When they came on board, I looked the Post Office, and entered the passenger cars. WALTON seemed very much agitated and pale, and paid for both himself and COLE to Burgaw. When the return train came, COLE was tied. Mr. HOLMES had the other fellow by the back of his neck in a Burgaw; WALTON followed him.

MR. LONDON. We have a right to have your record of the depositions, and we cannot properly cross-examine without it. This Court. Unless some decision of the Supreme Court be otherwise direct, we hold that it is unnecessary to read over the depositions.

MR. LONDON. I have, may I please the Court, a very good authority for my demand. Chief Justice ROBERTS overrules it, it is as much the law of North Carolina, as if it had been so expressly decided. The authorities that I cite are the general practice in examinations of this sort on the trial of depositions, &c., but these formalities are not absolutely requisite.

Chief Justice ROBERTS. Ah, that will do. It is not necessary, we shall not read them.

WITNESS CROSS-EXAMINED. The seats in the cars are about a foot and a half high, a witness sitting behind the seat, could see in them did not see the watch in the seat, but saw the man when he raised the watch, it was raised from the seat. This happened in a burglar's case, and was the case of the watch in the seat. The watch was either under WALTON, or between the two. CHARLES E. BOWERS. Went to bed at about ten o'clock on Tuesday night—slept in the room in which he was sleeping immediately; Mr. DARBY came into the room in the morning from the street—went into the store—found the glass case open, and several watches, bracelets and other jewelry gone; there was a foot-print on the upper end of the counter; the watch found by the passenger in the seat is his property—identifies it.

Chief Justice ROBERTS. Not in town on Tuesday—had gone in the cars to Halifax—carried several watches with him for sale—sold one—brought all the others back—left behind twenty-eight o'clock. The watch found by the passenger was one of them in the case on his return—swears to the watches and other jewelry being the property of the firm.

W. A. H. PRICE. Saw the watch in the seat on Wednesday—heard of the robbery in town, which put him on the lookout for suspicious characters. The two prisoners came on board at Rocky Point—appeared to be very suspicious characters; had no baggage, and were evidently strangers in that part of the country. When they came on board, I looked the Post Office, and entered the passenger cars. WALTON seemed very much agitated and pale, and paid for both himself and COLE to Burgaw. When the return train came, COLE was tied. Mr. HOLMES had the other fellow by the back of his neck in a Burgaw; WALTON followed him.

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For these reasons, I think we should cause ourselves to be represented in the Nashville convention. And that is all that it would be wise for us at present to determine on this all important subject.—This being done, our glorious Union will continue through indefinite ages, growing, and spreading until the stars upon its banner shall become a countless host; and like the blue canopy of Heaven, which it represents, be looked up to, by men of all nations with admiration and reverential awe.

Reported for the Journal.  
State vs. William Cole and William E. Walton.  
Before Justices Miller, Paden, Bettencourt, and Walker.  
BURGLARY AND LARCENY.

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These results, as they become publicly known, will naturally attract the attention of the medical men and philanthropists everywhere. What is their opinion of Cherry Pectoral may be seen in the following—

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Prof. Surgery Med. College, New York, says—  
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